

SETTER OLLILA LLC

Intellectual Property Law Firm

**RECEIVED
CENTRAL FAX CENTER****FEB 28 2005**2060 BROADWAY, SUITE 300
BOULDER, CO 80302
PHONE 303-938-9999
FACSIMILE 303-938-9995**FACSIMILE TRANSMISSION**

DATE: February 28, 2005

FROM: Steven L. Webb, Reg. 44,395
NUMBER OF PAGES (including this page): 11
TO: Mailstop: Amendment
Commissioner for Patents
United States Patent and
Trademark Office
RE: Application No. 09/981,015
Filed: 10/17/2001
Art Unit: 2686
Examiner: Naghmeh Mehrpour
Inv.: Steve Dispensa
Docket No. 1573

TELEPHONE: (303) 938-9999 ext. 22
EMAIL: swebb@soiplaw.com
TELEPHONE:
FAX: (703) 872-9306

MESSAGE Attached are the following:

1. Transmittal (one page);
2. Resubmission of Response to office Action (two pages)
3. Auto-Reply Facsimile Transmission, Transmittal and Response dated 8/25/04 to the Office Action dated June 16, 2004, (7 pages).

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL 303-938-9999

THIS TELECOPY IS INTENDED ONLY FOR THE USE OF THE PERSON TO WHOM IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

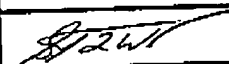
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/981,015; Confirmation 5595	
	Filing Date	10/17/2001	
	First Named Inventor	Steve Dispensa	
	Art Unit	2686	
	Examiner Name	Naghme Mehropour	
Total Number of Pages in This Submission	9	Attorney Docket Number	6/16/2004

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks It is believed that no fees are due in this matter. However, if it is determined that fees are due, the Commissioner is authorized to debit Deposit Account No. 210765 for the required fees.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	SETTER OLLILA LLC		
Signature			
Printed Name	Steven L. Webb		
Date	2/28/05	Reg. No.	44,395

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature		Date	2/28/05
Typed or printed name	Laura S. Mellblom		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Practitioner's Docket No. 1573

PATENT

RECEIVED
CENTRAL FAX CENTER**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

FEB 28 2005

Inventor(s): Steve Dispensa

Serial No.: 09/981,015

Filing Date: 10/17/2001

Title: Probe Device For Determining Channel Information A Broadband
Wireless System

Examiner: Naghmeh Mehrpour

Group Art Unit: 2686

Mailstop: Amendment
COMMISSIONER OF PATENTS
P. O. Box 1450
Alexandria, VA 22313-1450**RESUBMISSION OF RESPONSE TO OFFICE ACTION**

Our office has been notified that the Response submitted on August 25, 2004, has not been acknowledged in PAIR. Our office has had conversations with the Examiner, Melody Mhrpour, and was instructed to re-submit the Response. Attached please find a copy of the Response and Auto-Reply Facsimile Transmission sent to the United States Patent and Trademark Office on August 25, 2004, in response to the June 16, 2004, Office Action. The Response was timely submitted, please consider this Response.

Any fees may be charged to deposit account 21-0765.

Respectfully submitted,

Date: 2/28/05
SIGNATURE OF PRACTITIONER

Steven L. Webb, Reg. No. 44,395

Duft Setter Ollila & Bornsen LLC

Telephone: (303) 938-9999 ext. 22

Facsimile: (303) 938-9995

Correspondence address:

CUSTOMER NO. 28004

Attn: Harley R. Ball
6391 Sprint Parkway
Mailstop: KSOPHT0101-Z2100
Overland Park, KS 66251-2100

USPTO
TO: Auto-reply fax to 303938995 COMPANY: 8/25/2004 12:20 PM PAGE 1/001 Fax Server

Auto-Reply Facsimile Transmission



TO: Fax Sender at 3039389995
Fax Information
Date Received: 8/25/2004 12:10:59 PM (Eastern Daylight Time)
Total Pages: 6 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
=====>

AUG-26-2004 WED 10:14 AM DUFF SETTER OLLILA BORIS FAX NO. 3039389995 P. 01	
DUFF SETTER OLLILA & BORSEN LLC Intellectual Property Law Firm	
2000 BROADWAY, SUITE 900 BOULDER, CO 80502 PHONE 303-938-9999 FACSIMILE 303-938-9995	
DATE: August 25, 2004	
FACSIMILE TRANSMISSION	
FROM: Steven L. Webb, Reg. 44,595	TELEPHONE: (303) 938-9999 ext. 22
NUMBER OF PAGES (including this page): 6	EMAIL: swebb@dsoblaw.com
TO: Mailstop: Amendment Commissioner for Patents United States Patent and Trademark Office	TELEPHONE:
RE: Application No. 09/961,015 Filed: 10/17/2001 Art Unit: 2686 Examiner: Nageemah Molempow Inv.: Steve Dispensa Docket No. 1573	FAX: (703) 872-6106
MESSAGE Attached are the following:	
1. Transmittal (one page);	
2. Response to the Office Action dated June 16, 2004. (4 pages).	
IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL 303-938-9999	
THIS TELETYPE IS INTENDED ONLY FOR THE USE OF THE PERSON TO WHOM IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.	
PAGE 15 * RCV AT 2/28/2005 12:48 PM * SVR:USPTO-EFXXF-1/0 * DNIS:8729306 * CSID:3039389995 * DURATION (mm:ss):03:08	

Date docketed: 8/25/04
Docketed by: [Signature]
See: _____
Atty: _____

PTO/SB/21 (04-04)

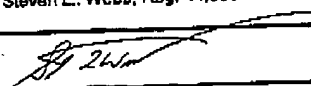
Approved for use through 07/31/2006. OMB 0651-0031


U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/981,015; Confirmation No. 5595	
	Filing Date	10/17/2001	
	First Named Inventor	Steve Dispensa	
	Art Unit	2686	
	Examiner Name	Naghmeh Mehrpour	
Total Number of Pages in This Submission	4	Attorney Docket Number	1573

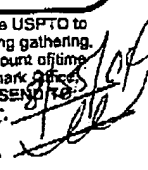
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks It is believed that no fees are due in this matter. However, if it is determined that fees are due, the Commissioner is authorized to debit Deposit Account No. 210765 for the required fees.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Steven L. Webb, Reg. 44,395
Signature	
Date	8/25/04

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Laura S. Melblom	Date	8-25-04
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

Date docketed: 
Docketed by: _____

**RECEIVED
CENTRAL FAX CENTER**

FEB 28 2005

Practitioner's Docket No. 1573

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Steve Dispensa

Serial No.: 09/981,015

Filing Date: 10/17/2001

**Title: Probe Device For Determining Channel Information A Broadband
Wireless System**

Examiner: Naghmeh Mehrpour

Group Art Unit: 2686

Mailstop: Amendment

COMMISSIONER OF PATENTS

P. O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

This is in response to the Office Action mailed on 6/16/2004.

TRANSACTION REPORT

AUG-25-2004 WED 10:15 AM

P. 01

FOR: DUFT SETTER OLLILA BORNS 3039389995

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
AUG-25	10:13 AM	17038729306	1' 37"	6	SEND	OK	649	
TOTAL :						1M 37S	PAGES:	6

DUFT SETTER OLLILA & BORNSSEN LLC

Intellectual Property Law Firm

2060 BROADWAY, SUITE 300
BOULDER, CO 80302
PHONE 303-938-9999
FACSIMILE 303-938-9995

FACSIMILE TRANSMISSION

DATE: August 25, 2004

FROM:

Steven L. Webb, Reg. 44,395

NUMBER OF PAGES (including this page):

6

TELEPHONE: (303) 938-9999 ext. 22

EMAIL: swebb@dsoblaw.com

TO:

Mailstop: Amendment
Commissioner for Patents
United States Patent and
Trademark Office

TELEPHONE:

RE:

Application No. 09/981,015
Filed: 10/17/2001
Art Unit: 2686
Examiner: Naghmeh Mehrpour
Inv.: Steve Dispensa
Docket No. 1573

FAX: (703) 872-9306

Attached are the following: